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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

JEFFREY JAY ANDERSON
WALTER S. SCHOPFER
MERLE L. MILLER

Group Art Unit: 2644

Examiner: W. F. BRINEY, III

Serial No.: 09/751,417

Conf. No.: 7838

Filed: DECEMBER 29, 2002


Atty. Dkt.: 2069.008300/TT3773
CUSTOMER NO.: 23720

For: METHOD AND APPARATUS
FOR HANDLING VOICE AND
DATA SIGNALS

APPEAL BRIEF

Mail Stop Appeal Brief - Patents
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On November 8, 2004, Appellants filed a Notice of Appeal in response to a Final Office Action dated July 12, 2004, issued in connection with the above-identified application. In support of their appeal, Appellants hereby submit an original and two copies of this Appeal Brief to the Board of Patent Appeals and Interferences in response to the Final Office Action dated July 12, 2004. The fee for filing this Appeal Brief is \$500.00, the Commissioner is authorized to withdraw funds from Legerity, Inc.'s Deposit Account No. 50-1591/TT3773. In the event the monies in that account are insufficient, the Commissioner is authorized to withdraw funds from Williams, Morgan & Amerson, P.C. Deposit Account No. 50-0786/2069.008300.

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04/12/2005 AHOPKINS 00000010 500786 09751417

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U.S.P.Q.2d 1438 (Fed. Cir. 1991); M.P.E.P. § 2142. In the instant case, the Examiner has also failed to identify the requisite motivation to combine and expectation of success.

Thus, for at least these additional reasons, Group II claims are allowable.

IX. CONCLUSION

In view of the foregoing, it is respectfully submitted that the Examiner erred in not allowing all claims pending in the present application, claims 1-24, over the prior art of record. The undersigned Ruben S. Bains may be contacted at (713) 934-4064 with respect to any questions, comments, or suggestions relating to this appeal.

Respectfully submitted,

WILLIAMS, MORGAN & AMERSON, P.C.
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Date: February 7, 2005

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